IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 2120 of 2005

Between:

S. Somaiah, S/o. Kistaiah,
R/o. Timmakkapeta village, Tirumalyalem Mandal,
Khammam District.

..... PETITIONER

AND

1 The District Collector, Khammam, Khammam district.
2 the Joint Collector, Khammam, Khammam aDistrict.
3 The Revenue Divisional Officer, Khammam, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue writ or direction particularly in the nature of Mandamus or any other appropriate writ, declaring the action of the 3rd respondent in contemplating to appoint permanent F.P.Shop dealer, for Timmakkapeta Village, Tirumlayapalem Mandal, Khammam District, as illegal void and arbitrary and consequently direct the 3rd respondent not to make any permanent appointment for the said post, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.V.R.AVULA

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following ORDER:

The authorization of the petitioner was cancelled by the third respondent through his order dated 15.01.2003. Aggrieved thereby, the petitioner preferred an appeal before the second respondent. The appeal was also rejected by the second respondent through his order dated 29.10.2004. The petitioner claims to have presented a revision before the first respondent. His grievance is that even while the revision is pending, the third respondent has issued a notification dated 27.01.2005 proposing to appoint a dealer for the shop at Timmakkapet village, Tirumalayapalem mandal, Khammam district, on regular basis.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The petitioner has already availed the remedy of appeal against the order of cancellation of his authorization. On dismissal of the appeal, he filed a revision before the first respondent. The revision is said to have been listed for hearing and that the same is ripe for disposal. The limited grievance of the petitioner is that the third respondent is taking steps to appoint a dealer for the shop in

question, on regular basis. According to him, if the revision is allowed and meanwhile a third party is appointed as the dealer, it would give rise to several complications.

Hence, the writ petition is disposed of directing that in the matter of appointment of the dealer to the fair price shop at Timmakkapeta village, Tirumalayapalem mandal, Khammam district, the third respondent can process the applications, but the final order shall not be issued till the first respondent disposes of the revision filed by the petitioner. The first respondent is directed to expedite the disposal of the revision. There shall be no order as to costs.

09.02.2005

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To

1 The District Collector, Khammam, Khammam district.
2 the Joint Collector, Khammam, Khammam aDistrict.
3 The Revenue Divisional Officer, Khammam, Khammam District.

4 Two CCs. to the G.P. for Civil Supplies, High Court of A.P.,

Hyderabad (OUT).

5 Two CD copies.